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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Yoshiyuki NEZU, et al.

SERIAL NO: 10/535,308

GROUP: 2613

FILED: May 18, 2005

EXAMINER:

FOR: IN-VEHICLE APPARATUS AND METHOD OF PROVIDING CONTENTS

LETTER

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith are an International Preliminary Report on Patentability and Written Opinion for the Examiner's consideration. The reference(s) cited therein have been previously filed on May 18, 2005.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in cursive script, reading "Joseph Scafetta Jr.", written over a horizontal line.

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PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference S04P1305	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2004/013986	International filing date (<i>day/month/year</i>) 16 September 2004 (16.09.2004)	Priority date (<i>day/month/year</i>) 25 September 2003 (25.09.2003)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant SONY CORPORATION		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis.1(a).
2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.
3. This report contains indications relating to the following items:

<input checked="" type="checkbox"/> Box No. I	Basis of the report
<input type="checkbox"/> Box No. II	Priority
<input type="checkbox"/> Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
<input checked="" type="checkbox"/> Box No. IV	Lack of unity of invention
<input checked="" type="checkbox"/> Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
<input type="checkbox"/> Box No. VI	Certain documents cited
<input type="checkbox"/> Box No. VII	Certain defects in the international application
<input type="checkbox"/> Box No. VIII	Certain observations on the international application
4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis .2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 26 June 2006 (26.06.2006)</td> </tr> <tr> <td style="padding: 5px;">Authorized officer Masashi Honda e-mail: pt08@wipo.int</td> </tr> </table>	Date of issuance of this report 26 June 2006 (26.06.2006)	Authorized officer Masashi Honda e-mail: pt08@wipo.int
Date of issuance of this report 26 June 2006 (26.06.2006)			
Authorized officer Masashi Honda e-mail: pt08@wipo.int			

PATENT COOPERATION TREATY

TRANSLATION

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

S04P1305

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2004/013986

International filing date (day/month/year)

16.09.2004

Priority date (day/month/year)

25.09.2003

International Patent Classification (IPC) or both national classification and IPC

Applicant

SONY CORPORATION

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/013986

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
☐ This opinion has been established on the basis of a translation from the original language into the following language
_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material
☐ a sequence listing
☐ table(s) related to the sequence listing
 - b. format of material
☐ in written format
☐ in computer readable form
 - c. time of filing/furnishing
☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2004/013986

Box No. IV

Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☒ paid additional fees
 - ☐ paid additional fees under protest
 - ☐ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

The matter common to claims 1-5 and 12 relates to an on-vehicle device displaying a map associated with navigation and video content by a plurality of sources, wherein if a source operator for switching the source is operated while a map is displayed, the display of the map is switched to display of a video content and if the source operator is operated while the video content is displayed, display of the video content is switched by successively and cyclically switching the sources to be reproduced.

However, claims 6-8, 9-11, 13, and 14 do not have the configuration associated with the aforementioned on-vehicle device and do not satisfy PCT Rule 13. Moreover, similarly, claims 9-11 and 14 do not include the matter common to claims 6-8 and 13 and do not satisfy PCT Rule 13.

Accordingly, it is obvious that claims 6-8, 9-11, 13 and 14 do not satisfy the requirement of unity of invention.

4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☒ all parts
 - ☐ the parts relating to claims Nos. _____

International application No.
PCT/JP2004/013986

1. Statement			
Novelty (N)	Claims	1-14	YES
	Claims		NO
Inventive step (IS)	Claims	2-11, 13, 14	YES
	Claims	1, 12	NO
Industrial applicability (IA)	Claims	1-14	YES
	Claims		NO

Document 1: JP 2000-268548 A (Sony Corp.), 29 September 2000
Document 2: JP 2003-157067 A (Nippon Seiki Co., Ltd.), 30 May 2003

It would be easy for a person skilled in the art to use the configuration described in document 1 cited in the ISR (paragraphs 0026-0028) wherein video content (TV images) and maps (navigation function) are switched successively and cyclically (cyclic) using a menu with the configuration described in document 1 cited in the ISR (paragraphs 0035-0042) wherein, in a car audio system, content (source) in a car audio system is switched by switching a menu successively and cyclically (cyclic).

The inventions of claims 2-11 are not described in any of the documents cited in the ISR and would not be obvious to a person skilled in the art.